

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of AT&T, Inc.)	
and BellSouth Corporation)	WC Docket No. 06-74;
Applications for Approval)	DA 06-2035
of Transfer of Control)	

**COMMENTS BY THE ALLIANCE FOR PUBLIC TECHNOLOGY ON
PROPOSALS SUBMITTED BY AT&T INC. AND BELL SOUTH CORPORATION**

The Alliance for Public Technology (“APT”) appreciates this opportunity to submit brief comment on the proposals made by AT&T and BellSouth in a supplemental filing, concerning their applications for transfer of control. APT is a nonprofit organization of public interest groups and individuals, working together to foster broad access to affordable, usable information and communications services and technology, for the purpose of bringing better and more affordable health care to all citizens, expanding educational opportunities for lifelong learning, enabling people with disabilities to be independent and productive citizens, creating opportunities for jobs and economic advancement, making government more responsive to all citizens and simplifying access to communications technology.

In its initial filing, APT supported the merger, noting that it “...can serve the public interest by accelerating the deployment of advanced networks.”¹ APT continues to believe that overall, the public will benefit from the merger as

¹ See APT Comments, June 6, 2006, at pg. 4.

initially proposed, and that the parties' application merits timely approval. Nonetheless, given APT's mission of helping to ensure that the benefits of advanced telecommunications technologies are enjoyed by all Americans, a number of the parties' proposed merger conditions would be quite positive interim steps towards reaching that critical goal.

Broadband services

In particular, the parties' proposed conditions concerning access to broadband services would greatly facilitate the universal availability of affordable advanced telecommunications technologies. Specifically, the parties have proposed that AT&T/BellSouth be required to offer broadband Internet access service to 100 percent of the residents of its in-region territory by December 31, 2007, including those residents who live in rural and low-income areas. Such access would be provided through a mix of wireline and other technologies. In addition, the parties have proposed that they be required to offer ADSL modems and ADSL services at attractive prices to residential customers who have not previously purchased such products or services. While APT (and many other proponents of broadband technologies) believe that bi-directional access at speeds much higher than those available through ADSL technologies will be required to serve consumers' evolving needs for advanced educational, health-care and other services, for now, the parties' proposed commitments are a beneficial interim measure in assuring that basic high-speed access is available to all residents in their service footprint.

New wireless broadband trials

In addition, the parties have proposed that they be required to initiate ten new wireless broadband trials in the 2.3GHz or 2.5 GHz bands by the end of 2007.

Wireless broadband technologies have the potential to bring to advanced telecommunications services to unserved and underserved rural areas, as well as a vital new entrant to markets where service already exists. Requiring the parties to initiate such trials is likely to hasten the broader implementation of advanced wireless services in these valuable bands

Repatriation of jobs

APT understands that the parties have been in negotiations with labor groups over possible repatriation of jobs that have been expatriated to foreign venues. These negotiations reflect the importance of high-speed broadband technologies to job creation and our nation's economic vitality. If an agreement is reached on job repatriation, APT would support such a condition as part of merger approval.

Other Issues.

The Commission should reject requests that it impose additional conditions which address issues that are much broader than those presented by the pending merger, such as efforts to impose network neutrality requirements that go beyond the principles articulated in the Commission's 2005 Policy Statement.

Resolution of such issues should be deferred to rulemakings or similar proceedings of broad applicability.²

Conclusion

APT commends the Commission and the parties for exploring creative options to further enhance the benefits of the proposed merger for the public at large. The Commission should approve the applications, with the proposed conditions set forth by the parties, as expeditiously as possible.

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Respectfully Submitted:

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² See, e.g., *In re Applications of AT&T Wireless Services, Inc. & Cingular Wireless Corp. et al.*, MO&O, 19 FCC Rcd. 21522, at ¶43 (2004).